

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... AUG 0 2 1994

Returned to applicant for correction..... OCT 2 7 1994

Corrected application filed..... DEC 1 4 1994 Map filed..... DEC 1 4 1994

The applicant..... Garrett Van Diest, Inc.

Box 867

Street and No. or P.O. Box No.

of

Winne mucca,

City or Town

Nevada, 89446

State and Zip Code No.

hereby make..\$ application for permission to change the

Point of Diversion and Place of Use of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under..... Permit No. 20722, Certificate No. 5861

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is..... Underground
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed..... 1.737 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for..... Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for..... Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point..... in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, T.33N., R.38E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M. or at a point from which the SE corner of said Section 7 bears S.
distance to a section corner. If on unsurveyed land, it should be stated.
44°56' E. a distance of 106 feet.
6. The existing permitted point of diversion is located within..... SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T.33N., R.38E.
If point of diversion is not changed, do not answer.
M.D.B.&M., or at a point from which the SW corner of Section 13, T.33N., R.37E.,
M.D.B.&M. bears S. 49°30' W. 12, 125 feet.
Portion of SE $\frac{1}{4}$ Section 7, T.33N., R.38E., M.D.B.&M. (155.76
7. Proposed place of use.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Acres) Detail: 37.88 Ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$; 37.88 Ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 40.00 Ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$;
40.00 Ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$
37.88 Ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (1.24 Ac. stripped to No. 53129 and 0.88 Ac.
8. Existing place of use.....
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
stripped to No. 52873); 37.88 Ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$ (2.12 Ac. stripped to No. 52873); 40.00
manner of use of irrigation permit, describe acreage to be removed from irrigation.
Ac. in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40.00 Ac. in SE $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 7, T.33N., R.38E., M.D.B.&M.
Total = 155.76 Ac. to be stripped by this application. See also under "Remarks".
9. Use will be from..... April 1 to..... October 1..... of each year.
Month and Day Month and Day
10. Use was permitted from..... April 1 to..... October 1..... of each year.
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.)..... well, pump, pipe lines to place of use.
State manner in which water is to be diverted, i.e. diversion structure.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works..... \$10,000.
13. Estimated time required to construct works..... 2 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Not changed by this application is the NE $\frac{1}{4}$: 40.00 Ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 40.00 Ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 38.74 Ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (1.26 Ac. already stripped by No. 53129); and 40.00 Ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$; all in Section 7, T.33N., R.38E., MDB&M., total = 158.74 Acres.

By s/Ernest E. Muller
Ernest E. Muller, Sr., SWRS 702
750 W. Pueblo St.
Reno, NV 89509

Compared..... pm/d.o. jr/bk

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 20722, Certificate 5861 is issued subject to the terms and conditions imposed in said Permit 20722, Certificate 5861 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.737 cubic feet per second, but not to exceed 623.04 acre-feet seasonally, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before June 8, 1997

Proof of completion of work shall be filed before July 8, 1997

Application of water to beneficial use shall be made on or before June 8, 2000

Proof of the application of water to beneficial use shall be filed on or before July 8, 2000

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAY 07 1998

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 8th day of June
A.D. 1995
R. Michael Turnipseed, P.E.
State Engineer

Abrogated By 702241 0.338